

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA**  
**Plaintiff,**

**vs.**

**CASE NO. 21-00359-005 (PAD)**

**Luis Roberto Alvarado-Reyes**  
**Defendant**

\*\*\*\*\*

**MOTION IN RESPONSE TO COURT ORDER IN DOCKET NO. 166**

COMES NOW, David E. Vázquez-Reyes, U.S. Probation Officer of this Honorable Court, who respectfully informs that:

1. On April 11, 2022, the probation officer filed a motion reporting a violation of bail conditions due to a positive drug test and requested to implement suggested supervision plan which included participation of the Random Drug Testing Program and continue on home detention with electronic monitoring (Docket No. 93). The request was granted by this Honorable Court on April 12, 2022 (Docket No. 94).

2. On August 1, 2022, Mr. Alvarado-Reyes through counsel, filed a motion requesting modification of his conditions of release to have the home detention component and electronic monitoring conditions removed (Dkt. No. 157).

3. Since the filing of the motion by the probation officer, Mr. Alvarado-Reyes has maintained a law-abiding lifestyle, continue to have verified employment, has tested negative to the illegal use of controlled substances in all his drug tests and has complied with the Court imposed conditions including the restrictions of the Location Monitoring

Program. As verified, Mr. Alvarado-Reyes has been fully compliant with the Location Monitoring program restrictions for over eight (8) months. The probation officer believes that the home confinement component of Home Detention and the Location Monitoring Device restrictions are no longer needed in this case, to maintain compliance behavior.

4. The United States Probation Office uses an actuarial risk assessment tool approved by the Administrative Office of the United States Courts, the Federal Pre-Trial Risk Assessment (PTRA), in which the individual's likelihood of failure to appear, commission of a new crime and probability of a technical revocation are calculated. Mr. Alvarado-Reyes's PTRA Risk Level is 1, which means that he is considered low risk in terms of probability of non-compliance with the Court imposed conditions. From 2015 to the present, the District of Puerto Rico has had a bail revocation rate of less than four percent for failure to appear or re-arrest violations on cases that were assessed as low risk when using the PTRA actuarial tool (Score between 1 and 3).

**WHEREFORE,** in the continued interest of tailoring strategies to successfully facilitate the desired outcomes of supervision by fashioning the least restrictive conditions of release to reasonably assure public safety and the defendant's future court appearances as required, the probation officer supports the defendant's request to modify the conditions of release by removing conditions (7) (p)(ii): "The defendant must participate in one of the following location restriction programs and comply with its requirements as directed (Home Detention) and (7)(q)(i): "The defendant must submit to location monitoring technology as directed by pretrial officer."

In San Juan, Puerto Rico, this 17<sup>th</sup> day of August 2022.

Respectfully submitted,

LUIS O. ENCARNACION, CHIEF  
U.S. PROBATION OFFICER

*s/David E. Vázquez Reyes*

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**CERTIFICATE OF SERVICE**

I HEREBY certify that on this date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system, and notification of such filing will be sent to the parties involved via email.

In San Juan, Puerto Rico, this 17<sup>th</sup> day of August 2022.

*s/David E. Vázquez Reyes*

David E. Vázquez-Reyes  
U.S. Probation Officer